

**P O R T E R | S C O T T**

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## Attorneys for Defendants

COUNTY OF SACRAMENTO, JIM SPURGEON and MICHAEL DANIELS

***Exempt from Filing Fees Pursuant to Government Code § 6103***

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CHARLES HOUFF, individually, and as a successor-in-interest to Decedent AMELIAN HOUFF; OLIVIA EDWARDS, individually, and as successor-in-interest to Decedent AMELIAN HOUFF,

CASE NO. 2:22-CV-01150-MCE-JDP

**STIPULATION AND ORDER TO EXTEND  
DISCOVERY AND EXPERT DISCLOSURE  
DEADLINES**

Complaint Filed: 7/1/2022

V.

CITY OF SACRAMENTO, a municipal corporation; CITY OF SACRAMENTO police officer MITCHELL BARRETT, in his individual and official capacities as an officer for the CITY OF SACRAMENTO; CITY OF SACRAMENTO police sergeant MICHAEL FRAZER, in his individual and official capacities as an officer for the CITY OF SACRAMENTO; CITY OF SACRAMENTO police Lieutenant BRIAN ELLIS, in his individual and official capacities as an officer for the CITY OF SACRAMENTO; COUNTY OF SACRAMENTO, a municipal corporation; COUNTY OF SACRAMENTO Sheriff's Sergeant JIM SPURGEON, in his individual and official capacities as a deputy for the

1 COUNTY OF SACRAMENTO; COUNTY  
2 OF SACRAMENTO Sheriff's Lieutenant  
3 MICHAEL DANIELS, in his individual and  
4 official capacities as a deputy for the  
COUNTY OF SACRAMENTO; and DOES  
1-50, inclusive, individually, jointly, and  
severally,

5 Defendants.  
6 \_\_\_\_\_ /  
7

8 Plaintiffs CHARLES HOUFF and OLIVIA EDWARDS ("Plaintiffs") and Defendants COUNTY  
9 OF SACRAMENTO, JIM SPURGEON, MICHAEL DANIELS, CITY OF SACRAMENTO,  
10 MITCHELL BARRET, MICHAEL FRAZER and BRIAN ELLIS ("Defendants") (Plaintiffs and  
11 Defendants collectively referred to as the "parties"), by and through their respective counsels of record,  
12 hereby stipulate as follows:

- 13 1. Despite the parties' good faith and diligent efforts and because of matters outside the parties'  
14 control, the parties are unable to complete non-expert discovery prior to the current  
15 deadlines. The deposition of Andrew Keegans was noticed for April 5, 2024. At the  
16 beginning of the deposition, Keegans expressed for the first time an interest in having legal  
17 representation for the deposition. All counsel agreed on the record to extend the discovery  
18 deadline to allow the parties to re-notice Keegans' deposition after affording Keegans a  
19 reasonable opportunity to explore this option. Defendant County of Sacramento, Jim  
20 Spurgeon, and Michael Daniels propounded written discovery on Plaintiffs Olivia Edwards  
21 and Charles Houff. On April 1, 2024, Plaintiff Olivia Edwards requested an extension to  
22 respond to the written discovery, which was granted the same day. Plaintiff Olivia Edwards'  
23 responses are due April 12, 2024, after the current non-expert discovery deadline. The parties  
24 have met and conferred regarding Plaintiff Houff's written discovery responses. Plaintiff  
25 Houff requested more time to provide supplemental written discovery responses and has  
26 agreed to provide those responses by April 12, 2024, after the current non-expert discovery  
27 deadline. Defendant County of Sacramento is unable to issue related discovery subpoenas  
28 without Plaintiff Edwards' and Houff's written discovery responses. To afford the parties

more time to prepare their written discovery responses, continue to meet and confer, prepare any necessary related motion work, issue subpoenas, and to re-notice the deposition of Andrew Keegans, the parties agree to extend the current deadline for non-expert discovery.

2. The current deadline for non-expert discovery is April 10, 2024. The parties agree to extend the non-expert discovery deadline by 60 days, or to June 10, 2024.
3. The parties further agree that other deadlines will need to be similarly continued to accommodate the delay. Currently, the deadline for expert witness disclosures is June 10, 2024, rebuttal/supplemental expert witness disclosures are due July 10, 2024, and the last day to file a dispositive motion is October 8, 2024.
4. As such, the parties agree to extend the respective deadlines as follows:
  - Close of Non-Expert Discovery: June 10, 2024
  - Expert Witness Disclosures: August 10, 2024
  - Rebuttal/Supplemental Expert Witness Disclosures: September 10, 2024
  - Last Day to File a Dispositive Motion: December 8, 2024
5. The parties agree there is good cause for the proposed modifications to the scheduling order.
6. All other deadlines shall remain unchanged.

**IT IS SO STIPULATED.**

Dated: April 10, 2024

PORTER SCOTT  
A PROFESSIONAL CORPORATION

By: /s/ Megan N. Boelter

Carl L. Fessenden  
William E. Camy  
Megan N. Boelter  
Attorneys for Defendants COUNTY OF  
SACRAMENTO, MICHAEL DANIELS and  
JIM SPURGEON

1 Date: April 9, 2024

LAW OFFICE OF JOHN L. BURRIS

2 By: /s/ Benjamin Nisenbaum

3 John Burris  
4 Benjamin Nisenbaum  
5 James Cook  
6 Attorneys for Plaintiff CHARLES HOUFF

7 Date: April 9, 2024

BRYANT LAW GROUP

8 By: /s/ Ian Kelley

9 Ian Kelley  
10 Paul Alaga  
11 Attorneys for Plaintiff OLIVIA EDWARDS

12 Date: April 10, 2024

DEAN GAZZO ROISTACHER LLP

13 By: /s/ Aleries Lau

14 Mitchell Dean  
15 Lee Roistacher  
16 Aleries Lau  
17 Attorneys for Defendant BRIAN ELLIS

18 Date: April 10, 2024

CITY OF SACRAMENTO

19 By: /s/ Sean D. Richmond

20 Sean D. Richmond  
21 Kate D. L. Brosseau  
22 Attorney for Defendant CITY OF SACRAMENTO,  
23 MITCHELL BARRET and MICHAEL FRAZER

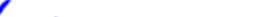
## **ORDER**

The Court, having reviewed and considered the Parties' foregoing Stipulation, and finding good cause, hereby Orders as follows:

1. The deadline for non-expert discovery is extended to June 10, 2024;
  2. The deadline for expert witness disclosures is extended to August 10, 2024;
  3. The deadline for rebuttal/supplemental expert witness disclosures is extended to September 10, 2024;
  4. The last day to file a dispositive motion is extended to December 8, 2024;
  5. All other deadlines remain unchanged.

IT IS SO ORDERED.

Dated: April 12, 2024

  
MORRISON C. ENGLAND, JR.  
SENIOR UNITED STATES DISTRICT JUDGE